

EXHIBIT A

From: [Tyler Newby](#)
To: [Brian Klein](#); [Emily Stierwalt](#); [Janie Miller](#); [Brian Buckley](#); [Sarah Lightstone](#)
Cc: [Mo_Hamoudi@fd.org](#); [nancy_tenney@fd.org](#); [Christopher_Sanders@fd.org](#); [Melissa Meister](#); [Stacey Brownstein](#)
Subject: RE: USA v. Thompson: Subpoenas to AWS Individuals
Date: Sunday, June 5, 2022 12:29:38 PM
Attachments: [image001.png](#)

I confirm acceptance of the subpoena.

Also, we're assembling the deposition exhibits to send via ShareFile.

From: Brian Klein <bklein@waymakerlaw.com>
Sent: Sunday, June 5, 2022 12:28 PM
To: Tyler Newby <tnewby@fenwick.com>; Emily Stierwalt <estierwalt@waymakerlaw.com>; Janie Miller <JMiller@fenwick.com>; Brian Buckley <BBuckley@fenwick.com>; Sarah Lightstone <slightstone@fenwick.com>
Cc: Mo_Hamoudi@fd.org; nancy_tenney@fd.org; Christopher_Sanders@fd.org; Melissa Meister <mmeister@waymakerlaw.com>; Stacey Brownstein <Stacey_Brownstein@fd.org>
Subject: RE: USA v. Thompson: Subpoenas to AWS Individuals

**** EXTERNAL EMAIL ****

Tyler, please confirm you'll accept service of the subpoena for Brandwine. Thank you.

Brian E. Klein
Waymaker LLP
+1 424-652-7814

From: Brian Klein
Sent: Wednesday, June 1, 2022 5:15 PM
To: Tyler Newby <[tnewby@fenwick.com](#)>; Emily Stierwalt <[estierwalt@waymakerlaw.com](#)>; Janie Miller <[JMiller@fenwick.com](#)>; Brian Buckley <[BBuckley@fenwick.com](#)>; Sarah Lightstone <[slightstone@fenwick.com](#)>
Cc: [Mo_Hamoudi@fd.org](#); [nancy_tenney@fd.org](#); [Christopher_Sanders@fd.org](#); [Melissa Meister](#) <[mmeister@waymakerlaw.com](#)>; Stacey Brownstein <[Stacey_Brownstein@fd.org](#)>
Subject: RE: USA v. Thompson: Subpoenas to AWS Individuals

Tyler-

We are fine withdrawing the trial subpoenas for those 6 individuals immediately below, plus Andrew Doane (assuming you'll re-accept them if needed and provide their deposition transcripts by tomorrow, to the extent they have ones).

The others – Schmidt, Schuster, Mehr, and custodian of record(s) - are still under subpoena and we anticipate calling them, if they don't testify in the government's case in chief (and the Court doesn't permit us to do our direct examine concurrently).

Attached is a new trial subpoena for Eric Brandwine. He's on the government's witness list, but we want him under subpoena too. Please confirm you'll accept service on his behalf.

Thank you.

-Brian

Brian E. Klein
Waymaker LLP
+1 424-652-7814

From: Tyler Newby <tnewby@fenwick.com>
Sent: Tuesday, May 31, 2022 5:10 PM
To: Brian Klein <bklein@waymakerlaw.com>; Emily Stierwalt <estierwalt@waymakerlaw.com>; Janie Miller <JMiller@fenwick.com>; Brian Buckley <BBuckley@fenwick.com>; Sarah Lightstone <slightstone@fenwick.com>
Cc: Mo_Hamoudi@fd.org; nancy_tenney@fd.org; Christopher_Sanders@fd.org; Melissa Meister <mmeister@waymakerlaw.com>; Stacey Brownstein <Stacey_Brownstein@fd.org>
Subject: RE: USA v. Thompson: Subpoenas to AWS Individuals

Brian,

We would re-accept the subpoenas if you decide you need to call them. I've revised the list to include the following:

Don Barber
Brian Bentzen
Justin Christian
Michael Haken
Vincent Charles Passaro
Becky Weiss

Also, I noted that you did not include Andrew Doane on your witness list. Can you confirm that his subpoena is withdrawn?

With respect to persons located outside of the country who are testifying remotely, are those witnesses appearing voluntarily, or were they subpoenaed?

Tyler

From: Brian Klein <bklein@waymakerlaw.com>
Sent: Monday, May 30, 2022 1:48 PM
To: Tyler Newby <tnewby@fenwick.com>; Emily Stierwalt <estierwalt@waymakerlaw.com>; Janie Miller <JMiller@fenwick.com>; Brian Buckley <BBuckley@fenwick.com>; Sarah Lightstone <slightstone@fenwick.com>

<slightstone@fenwick.com>

Cc: Mo_Hamoudi@fd.org; nancy_tenney@fd.org; Christopher_Sanders@fd.org; Melissa Meister <mmeister@waymakerlaw.com>; Stacey Brownstein <Stacey_Brownstein@fd.org>

Subject: RE: USA v. Thompson: Subpoenas to AWS Individuals

**** EXTERNAL EMAIL ****

Tyler-

If we withdraw those four subpoenas, are you willing to re-accept them if after reviewing their transcripts, we decide we need to call one or more of them? Will you also be providing the exhibits?

We understand the government and Court are open to video testimony if someone is outside of the US(e.g., we've agreed that one government witness in Canada can testify that way). What time zone is Mr. Mehr in?

-Brian

Brian E. Klein
Waymaker LLP
+1 424-652-7814

From: Tyler Newby <tnewby@fenwick.com>

Sent: Friday, May 27, 2022 5:49 PM

To: Brian Klein <bklein@waymakerlaw.com>; Emily Stierwalt <estierwalt@waymakerlaw.com>; Janie Miller <JMiller@fenwick.com>; Brian Buckley <BBuckley@fenwick.com>; Sarah Lightstone <slightstone@fenwick.com>

Cc: Mo_Hamoudi@fd.org; nancy_tenney@fd.org; Christopher_Sanders@fd.org; Melissa Meister <mmeister@waymakerlaw.com>; Stacey Brownstein <Stacey_Brownstein@fd.org>

Subject: RE: USA v. Thompson: Subpoenas to AWS Individuals

Brian,

Following on our last call, we are willing to provide early production of the deposition transcripts of the following employees if you agree to withdraw their subpoenas:

- Brian Bentzen
- Michael Haken
- Vince Passaro
- Becky Weiss

Additionally, as I stated in our call, Nima Mehr does not reside in the United States and is not available.

Please let us know, and we can get these transcripts to you promptly.

Regards,

Tyler

From: Brian Klein <bklein@waymakerlaw.com>
Sent: Tuesday, May 17, 2022 3:09 PM
To: Tyler Newby <tnewby@fenwick.com>; Emily Stierwalt <estierwalt@waymakerlaw.com>; Janie Miller <JMiller@fenwick.com>; Brian Buckley <BBuckley@fenwick.com>; Sarah Lightstone <slightstone@fenwick.com>
Cc: Mo_Hamoudi@fd.org; nancy_tenney@fd.org; Christopher_Sanders@fd.org; Melissa Meister <mmeister@waymakerlaw.com>; Stacey Brownstein <Stacey_Brownstein@fd.org>
Subject: RE: USA v. Thompson: Subpoenas to AWS Individuals

**** EXTERNAL EMAIL ****

Tyler-

We learned earlier today that the trial will not be continued and will start on Tuesday, June 7.

Please provide an update.

Thank you.

-Brian

Brian E. Klein
Waymaker LLP
+1 424-652-7814

From: Brian Klein
Sent: Wednesday, May 4, 2022 10:55 AM
To: Tyler Newby <tnewby@fenwick.com>; Emily Stierwalt <estierwalt@waymakerlaw.com>; Janie Miller <JMiller@fenwick.com>; Brian Buckley <BBuckley@fenwick.com>; Sarah Lightstone <slightstone@fenwick.com>
Cc: Mo_Hamoudi@fd.org; nancy_tenney@fd.org; Christopher_Sanders@fd.org; Melissa Meister <mmeister@waymakerlaw.com>; Stacey Brownstein <Stacey_Brownstein@fd.org>
Subject: RE: USA v. Thompson: Subpoenas to AWS Individuals

Yes, although from our side it'll be a smaller group.

Brian E. Klein
Waymaker LLP
+1 424-652-7814

From: Tyler Newby <tnewby@fenwick.com>

Sent: Wednesday, May 4, 2022 10:53 AM

To: Brian Klein <bklein@waymakerlaw.com>; Emily Stierwalt <estierwalt@waymakerlaw.com>; Janie Miller <JMILLER@fenwick.com>; Brian Buckley <BBuckley@fenwick.com>; Sarah Lightstone <slightstone@fenwick.com>

Cc: Mo_Hamoudi@fd.org; nancy_tenney@fd.org; Christopher_Sanders@fd.org; Melissa Meister <mmeister@waymakerlaw.com>; Stacey Brownstein <Stacey_Brownstein@fd.org>

Subject: RE: USA v. Thompson: Subpoenas to AWS Individuals

Sure – everyone on this email?

From: Brian Klein <bklein@waymakerlaw.com>

Sent: Wednesday, May 4, 2022 10:52 AM

To: Tyler Newby <tnewby@fenwick.com>; Emily Stierwalt <estierwalt@waymakerlaw.com>; Janie Miller <JMILLER@fenwick.com>; Brian Buckley <BBuckley@fenwick.com>; Sarah Lightstone <slightstone@fenwick.com>

Cc: Mo_Hamoudi@fd.org; nancy_tenney@fd.org; Christopher_Sanders@fd.org; Melissa Meister <mmeister@waymakerlaw.com>; Stacey Brownstein <Stacey_Brownstein@fd.org>

Subject: RE: USA v. Thompson: Subpoenas to AWS Individuals

**** EXTERNAL EMAIL ****

Let's do 12. Want to send a Zoom?

Brian E. Klein
Waymaker LLP
+1 424-652-7814

From: Tyler Newby <tnewby@fenwick.com>

Sent: Wednesday, May 4, 2022 10:20 AM

To: Brian Klein <bklein@waymakerlaw.com>; Emily Stierwalt <estierwalt@waymakerlaw.com>; Janie Miller <JMILLER@fenwick.com>; Brian Buckley <BBuckley@fenwick.com>; Sarah Lightstone <slightstone@fenwick.com>

Cc: Mo_Hamoudi@fd.org; nancy_tenney@fd.org; Christopher_Sanders@fd.org; Melissa Meister <mmeister@waymakerlaw.com>; Stacey Brownstein <Stacey_Brownstein@fd.org>

Subject: RE: USA v. Thompson: Subpoenas to AWS Individuals

Brian,

On Monday after 11, I can do 12-2:30 and after 3:30.

Tyler

From: Brian Klein <bklein@waymakerlaw.com>

Sent: Wednesday, May 4, 2022 10:05 AM

To: Tyler Newby <tnewby@fenwick.com>; Emily Stierwalt <estierwalt@waymakerlaw.com>; Janie

Miller <JMILLER@fenwick.com>; Brian Buckley <BBUCKLEY@fenwick.com>; Sarah Lightstone <slightstone@fenwick.com>
Cc: Mo_Hamoudi@fd.org; nancy_tenney@fd.org; Christopher_Sanders@fd.org; Melissa Meister <mmeister@waymakerlaw.com>; Stacey Brownstein <Stacey_Brownstein@fd.org>
Subject: RE: USA v. Thompson: Subpoenas to AWS Individuals

**** EXTERNAL EMAIL ****

Tyler, I'm now tied up in SF tomorrow and Friday. Let's find a time on Monday after 11 a.m. PT.
When is good for you?

Brian E. Klein
Waymaker LLP
+1 424-652-7814

From: Tyler Newby <tnewby@fenwick.com>
Sent: Wednesday, May 4, 2022 8:48 AM
To: Brian Klein <bklein@waymakerlaw.com>; Emily Stierwalt <estierwalt@waymakerlaw.com>; Janie Miller <JMILLER@fenwick.com>; Brian Buckley <BBUCKLEY@fenwick.com>; Sarah Lightstone <slightstone@fenwick.com>
Cc: Mo_Hamoudi@fd.org; nancy_tenney@fd.org; Christopher_Sanders@fd.org; Melissa Meister <mmeister@waymakerlaw.com>; Stacey Brownstein <Stacey_Brownstein@fd.org>
Subject: RE: USA v. Thompson: Subpoenas to AWS Individuals

Brian,

Let me know if the following times work for you:

Thursday 1-2 or after 3
Friday: 9:30-10:30 or after 2.

Tyler

From: Brian Klein <bklein@waymakerlaw.com>
Sent: Monday, May 2, 2022 10:21 AM
To: Tyler Newby <tnewby@fenwick.com>; Emily Stierwalt <estierwalt@waymakerlaw.com>; Janie Miller <JMILLER@fenwick.com>; Brian Buckley <BBUCKLEY@fenwick.com>; Sarah Lightstone <slightstone@fenwick.com>
Cc: Mo_Hamoudi@fd.org; nancy_tenney@fd.org; Christopher_Sanders@fd.org; Melissa Meister <mmeister@waymakerlaw.com>; Stacey Brownstein <Stacey_Brownstein@fd.org>
Subject: RE: USA v. Thompson: Subpoenas to AWS Individuals

**** EXTERNAL EMAIL ****

Tyler, we didn't hear back from you about talking. Please advise on your availability this week. Thank

you.

Brian E. Klein
Waymaker LLP
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From: Brian Klein
Sent: Monday, April 11, 2022 7:17 PM
To: Tyler Newby <tnewby@fenwick.com>; Emily Stierwalt <estierwalt@waymakerlaw.com>; Janie Miller <JMILLER@fenwick.com>; Brian Buckley <BBuckley@fenwick.com>; Sarah Lightstone <slightstone@fenwick.com>
Cc: Mo_Hamoudi@fd.org; nancy_tenney@fd.org; Christopher_Sanders@fd.org; Melissa Meister <mmeister@waymakerlaw.com>; Stacey Brownstein <Stacey_Brownstein@fd.org>
Subject: RE: USA v. Thompson: Subpoenas to AWS Individuals

How about Thursday at 1:30 or 2?

Also attached is a subpoena for an AWS custodian of records, which we understand per our earlier agreement you will accept on behalf of your client.

-Brian

Brian E. Klein
Waymaker LLP
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From: Tyler Newby <tnewby@fenwick.com>
Sent: Monday, April 11, 2022 4:55 PM
To: Brian Klein <bklein@waymakerlaw.com>; Emily Stierwalt <estierwalt@waymakerlaw.com>; Janie Miller <JMILLER@fenwick.com>; Brian Buckley <BBuckley@fenwick.com>; Sarah Lightstone <slightstone@fenwick.com>
Cc: Mo_Hamoudi@fd.org; nancy_tenney@fd.org; Christopher_Sanders@fd.org; Melissa Meister <mmeister@waymakerlaw.com>; Stacey Brownstein <Stacey_Brownstein@fd.org>
Subject: RE: USA v. Thompson: Subpoenas to AWS Individuals

Brian,

Do you have time this week to discuss? Thursday and Friday are the most open dates for me. Can you propose some times?

Tyler

From: Brian Klein <bklein@waymakerlaw.com>
Sent: Wednesday, March 30, 2022 12:14 PM

To: Emily Stierwalt <estierwalt@waymakerlaw.com>; Tyler Newby <tnewby@fenwick.com>; Janie Miller <JMILLER@fenwick.com>; Brian Buckley <BBuckley@fenwick.com>; Sarah Lightstone <slightstone@fenwick.com>

Cc: Mo_Hamoudi@fd.org; nancy_tenney@fd.org; Christopher_Sanders@fd.org; Melissa Meister <mmeister@waymakerlaw.com>; Stacey Brownstein <Stacey_Brownstein@fd.org>

Subject: RE: USA v. Thompson: Subpoenas to AWS Individuals

**** EXTERNAL EMAIL ****

Tyler, we are available to discuss. Ultimately, we may not need to call all of these witnesses.

-Brian

Brian E. Klein
Waymaker LLP
+1 424-652-7814

From: Emily Stierwalt <estierwalt@waymakerlaw.com>

Sent: Monday, March 28, 2022 1:45 PM

To: Tyler Newby <tnewby@fenwick.com>; Janie Miller <JMILLER@fenwick.com>; Brian Buckley <BBuckley@fenwick.com>; Sarah Lightstone <slightstone@fenwick.com>

Cc: Brian Klein <bklein@waymakerlaw.com>; Mo_Hamoudi@fd.org; nancy_tenney@fd.org; Christopher_Sanders@fd.org; Melissa Meister <mmeister@waymakerlaw.com>; Stacey Brownstein <Stacey_Brownstein@fd.org>

Subject: USA v. Thompson: Subpoenas to AWS Individuals

Counsel:

At this [link](#), please find true copies of Subpoenas for the below individuals and a proof of service.

- Don Barber
- Brian Bentzen
- Justin Christian
- Andrew Doane
- Glen Dorton
- Michael Haken
- Nima Mehr
- Vincent Charles Passaro
- Stephen Schmidt
- Steve Schuster
- Becky Weiss

Please let me know if you have any difficulty accessing the documents.

Best,
Emily Stierwalt

Trial Lawyer



Waymaker LLP

+1 424.652.7808

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